

DRAFT

MINUTES NEIGHBORHOOD ENHANCEMENT COMMISSION

REGULAR MEETING
Wednesday, October 6, 2004 – 5:30 PM
3rd Floor, One Civic Center

Present: Chairman John Shultz
Vice Chair Badenoch
Commissioner Lisa Haskell
Commissioner Dick Kiesell

Absent (Excused): Commissioner John Horwitz
Commissioner Jim Pompe

Staff Present: Judy Register, Raun Keagy, Joanie Mead

Guests: Former Commissioner Nancy Wendorf (arrived on time)
Bruce Johnson
Judy Crider

CALL TO ORDER/ROLL CALL

A regular meeting of the Neighborhood Enhancement Commission was called to order at 5:35 PM and members were present as stated above.

APPROVAL OF SEPTEMBER 1, 2004 MEETING MINUTES

COMMISSIONER KIESELL MOVED THAT THE MINUTES BE APPROVED AS WRITTEN. COMMISSIONER BADENOCH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

FAREWELL TO COMMISSIONER WENDORF

Ms. Mead presented Commissioner Wendorf with a small token of appreciation for her service on the Neighborhood Enhancement Commission. Mr. Keagy thanked Commissioner Wendorf for her service and stated that he appreciated all the foresight and conscientiousness that she brought to the commission over the years. Ms. Register thanked Commissioner Wendorf for her service.

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**PRESENTATION AND POSSIBLE COMMISSION ACTION ON A
NEIGHBORHOOD ENHANCEMENT PARTNERSHIP REQUEST FROM ONE
SCOTTSDALE. (CP# 5-04)**

Mr. Bruce Johnson, a representative of One Scottsdale, appeared before the commission to talk about a project his group was working on. He explained that the proposal that he had planned to bring to the commission this evening had suffered some setbacks earlier in the week. He explained the project, which would have entailed the revitalization of one street in the City of Scottsdale. This would have included repainting the exterior of the homes and the installation of low water landscaping. One Scottsdale identified a street and approached the homeowners with the project. All the homeowners were on board. One homeowner was reluctant to sign for the project. As a result of the death of another one of the homeowners and the hesitation on the part of some others, the project was stalled.

One Scottsdale had put together a packet for the commission's review. One of the qualifications for the NEC funding was that all the homeowners needed to sign saying that they wanted to participate. Because of the hesitation on the part of the homeowners, One Scottsdale was not able to obtain those signatures. This event happened the day before the NEC meeting. One Scottsdale will attempt to redirect the help of the volunteers who had signed up to assist with the project to other projects that will take place in October and November. At this point, One Scottsdale is regrouping and hoping to move forward with another project in the near future.

Commissioner Haskell asked if there was any kind of education process on the maintenance for the properties one they had been revitalized. Mr. Johnson stated that One Scottsdale had discussed the necessity of some process to educate the homeowners about the maintenance of the property after the project is completed.

Chairman Shultz commended One Scottsdale on their efforts. He had some questions regarding the application. He stated that one of the qualifications listed in the packet was that the street be an owner occupied street. He indicated that with the death of one resident, the street would no longer be owner occupied and would not meet the group's criteria. Mr. Johnson said that the criteria had been 75-80% ownership, so it would have remained within that margin.

Chairman Shultz also noted that it stated in the group wanted mixed income. He asked what the income guidelines were. Mr. Johnson stated that he didn't think the group had thought that through as well as they could have. He said there are programs for revitalization of residences for low income people and programs for revitalization of private residences for senior citizens, but there is nothing that can

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do a whole street with a variety of situation. One Scottsdale thought it was worth trying to see if they could do a project like that. Commissioner Shultz indicated that the HUD Strategic Areas program would be able to do something like that. He suggested that staff might be able to help Mr. Johnson look into that.

Chairman Shultz mentioned that his concern was with the elderly owner. He expressed concern that one of the residents on the block also owned another home in Paradise Valley and had paid cash for the home on the block that was to be revitalized. He stressed the need for stated and researched income guidelines.

Chairman Shultz told Mr. Johnson that he felt that the labor charges on some of the bids were high. He suggested the use of volunteers for much of that work. Mr. Johnson noted that it was a struggle to find out what could be done by volunteers and that bids had been difficult to gather.

Chairman Shultz also mentioned that the commission had talked about setting up a tool lending trailer in the past. He would like to see more discussion about that issue in the future.

Chairman Shultz also told Mr. Johnson that he and probably the other commissioners would like to be kept up to date on the progress of One Scottsdale. He would like to receive the minutes from their meetings if possible.

Commissioner Haskell and Chairman Shultz encouraged Mr. Johnson to approach hardware stores for assistance both with building supplies and volunteers for labor in projects such as his.

**DISCUSSION AND POSSIBLE COMMISSION ACTION REGARDING
APPLICABILITY ON THE USE OF NEP FUNDS TO ADDRESS CHANGES IN
POOL FENCING REGULATIONS BY MARICOPA COUNTY FOR FENCES
SURROUNDING HOMEOWNERS ASSOCIATION POOLS.**

Commissioner Kiesell asked if any applications had been received regarding this matter. Ms. Mead mentioned that she and Mr. Keagy had been approached by someone who had inquired if the NEC's funds would be available to assist with the new HOA pool fencing requirements. Ms. Mead told that person that she would ask the commission for input prior to the application deadline. Ms. Mead stated that there is one neighborhood that is interested in using NEC funds for pool fencing.

Commissioner Kiesell stated he felt that if the commission were to receive and application for this type of funding, they should act upon it in concert with all the

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other applications that are received. He said he would not put out the word that the commission's approval would be automatic, because there might be ten other applications that are more important. He said that he felt that if someone walked in tonight with a request for funding to bring it into compliance that the commission would take it under consideration like a routine application.

Mr. Keagy asked whether this could be considered a maintenance issue or is this truly an enhancement. Because it is being mandated, it made it even more tricky to look at.

Chairman Shultz informed the group that there are probably 600-700 semi-private pools in the City of Scottsdale. He stated that he does think it fits the commission's criteria, but he is concerned that an HOA might come to the commission for assistance and the commission might choose to fund other projects. He would then be concerned about the liability issues for the commission and the city if something did happen. He felt that because this is an HOA issue, they should be able to issue a special assessment. The HOA's insurance is going to mandate it.

Commissioner Kiesell stated that he felt the commission should welcome the applications and handle them as any other applications have been handled.

Chairman Shultz said he is also concerned that some of the big property management companies would submit all of their pools. He feels like property management companies would decide to come after the funds rather than make a special assessment.

Commissioner Kiesell said that he doesn't believe that the commission could project how many applications the commission will receive. Chairman Shultz says that he doesn't think it is applicable to the commission and that he thinks it does fall under the responsibility of the HOA to make a special assessment. Commissioner Kiesell indicated that many of the other applications they receive do as well.

Commissioner Haskell agreed that it is a safety consideration, but that many HOA board would be likely to come to the commission for money even though they have adequate reserves. She stated that HOAs do have the ability to do a special assessment, although many board members are concerned about being re-elected and might not want to do a special assessment. She stated that this is a case where she would like to see what the HOA has in reserve before making the decision.

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Commissioner Kiesell stated that he feels the commission would be able to see through those requests where the HOA has the money in reserve. Commissioner Haskell pointed out that the commission doesn't necessarily know how much money is in the HOA's reserves. Mr. Keagy stated that the HOA can be asked to provide the information. It is clarified, however, that the application cannot be denied only because this information is not provided.

Chairman Shultz asked for some information about what costs might be and if retrofitting would be allowed. He said there are some fairly large semi-public pools and the cost to do one could be quite high. He requested information about the legality of turning the applications down because they are HOAs and their liability dictates that it be brought up to code. He wants to know if the commission does turn down an application to retrofit, if the city is at all liable. Chairman Shultz also asked if other cities with funds like the commission's available are considering this type of issue.

Ms. Mead stated that she had spoken to someone at the county and asked that question. The information she received was that it would be much cleaner and safer if the fences were taken out and re-done.

Ms. Mead wanted to know how she should respond to the HOA that was interested in submitting an application. Commissioner Kiesell said that he didn't feel that the commission could deny them the right to submit an application. Chairman Shultz agreed and told Ms. Mead to let the HOA know that the commission has asked for clarification and may not act on the application right away.

STAFF AND COMMISSION UPDATES (A.R.S. 38-431.02 (K))

Ms. Mead informed the commission that the GAIN event is one week from Saturday. Vice Chair Badenoch indicated that she is disappointed that the trolley is not being offered and that she would like that information relayed back to the organizers.

Ms. Mead also said that the department is trying to find out a way to participate in the Rock and Roll Paint-a-Thon on November 13. They are looking for both volunteers and homes to paint.

OPEN CALL TO THE PUBLIC (ARS 38-431.02) – None

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NEXT MEETING DATE AND FUTURE AGENDA ITEMS

The next meeting date will be November 1, 2004.

Chairman Shultz stated that he has spoken with Mr. George Williams who is a traffic engineer analyst. On 74th and Thomas, they have just put in a traffic median to help slow traffic going into the neighborhood. Because of all the commotion about the Mountain View traffic calming, Chairman Shultz asked if Mr. Williams could come give a presentation on the difference between traffic calmings and medians.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 6:40 PM.

Respectfully submitted,

Julie Conway
Recording Secretary